

## **REMARKS**

In response to the Office Action dated May 15, 2008, the Assignee respectfully requests reconsideration based on the above amendments and on the following remarks.

Claims 1-3 and 5-19 are pending in this application. Claims 4 and 20 were previously canceled without prejudice or disclaimer.

### **Telephone Interview**

Examiner Desir is thanked for the telephone interview of August 5, 2008. The amendments to the claims were discussed, and the amended claims were compared to the allowed claims in related U.S. Patent 7, 127,051. The pending claims are very similar to allowed claim 23 of U.S. Patent 7, 127,051.

Moreover, as the below paragraphs explain, the pending independent claims 1 and 11 distinguish over the proposed combination of *Fuller* and *Jones*. Independent claims 1 and 11 similarly recite “receiving a call routed from a dialed number in a native transport network to a virtual telephone number in a service-providing network” (emphasis added). *Fuller* and *Jones*, however, operate entirely opposite. The combined teaching of *Fuller* and *Jones*, in contradistinction, requires that a user dial a “common ‘virtual fixed line’ number,” and that dialed number is converted to a mobile number. That is, *Fuller* and *Jones* requires that a caller dial a single directory number, or “common ‘virtual fixed line’ number,” to reach a mobile subscriber. The independent claims, in contradistinction, “receive[e] a call routed from a dialed number in a native transport network to a virtual telephone number in a service-providing network” (emphasis added).

Examiner Desir said he understood this distinction. Examiner Desir said he is comfortable saying the amended claims distinguish over the cited documents, and he would speak with his supervisor regarding allowability.

**Rejection of Claims over Fuller & Jones**

Claims 1-3, 5-8, 10-14, 16, and 18-19 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over U.S. Patent 6,775,546 to Fuller in view of U.S. Patent 6,195,422 to Jones *et al.*

These claims, however, are not obvious over *Fuller* and *Jones*. These claims recite, or incorporate, features that are not taught or suggested by *Fuller* and *Jones*. Independent claim 1, for example, recites “receiving a call routed from a dialed number in a native transport network to a virtual telephone number in a service-providing network” (emphasis added). Support may be found in the as-filed application at paragraphs [0028] and [0029]. Independent claim 1 is reproduced below, and independent claim 11 recites similar features.

1. A method for monitoring communications usage, comprising:

receiving a call routed from a dialed number in a native transport network to a virtual telephone number in a service-providing network, the native transport network having limited or no capability of providing advanced telephony service;

providing the advanced telephony service to the call, wherein the virtual telephone number utilizes the intelligent services provided by the service-providing network;

routing said call from the service-providing network to a terminating network destination; and

monitoring a duration of said call traversing the service-providing network.

*Fuller* and *Jones* do not obviate all these features. The combined teaching of *Fuller* and *Jones* fails to teach or suggest at least “receiving a call routed from a dialed number in a native transport network to a virtual telephone number in a service-providing network” (emphasis added). The combined teaching of *Fuller* and *Jones*, in contradistinction, teaches a dialed “common ‘virtual fixed line’ number” that is converted to an MSISDN. *Fuller* and *Jones*, in other words, would operate entirely opposite from the independent claims. *Fuller* explains that a caller dials a single directory number, or “common ‘virtual fixed line’ number,” to reach a mobile subscriber. U.S. Patent 6,775,546 to Fuller (Aug. 10, 2004) at column 1, line 65 through column 2, line 12 (emphasis added). *Fuller* then explains that “the common virtual fixed line

number is converted in Step 2 into two or more MSISDNs.” U.S. Patent 6,775,546 to Fuller (Aug. 10, 2004) at column 6, lines 24-26 (emphasis added). *Jones* describes processing equipment that continuously evaluates the cost of a call for a duration of the call. Still, though, the combined teaching of *Fuller* and *Jones* would receive a call routed from a “common virtual fixed line number” and convert the “common virtual fixed line number” into two or more MSISDNs. *Fuller* and *Jones* thus operates entirely opposite from “receiving a call routed from a dialed number in a native transport network to a virtual telephone number in a service-providing network” (emphasis added). Because *Fuller* and *Jones* fail to teach or suggest all these features, one of ordinary skill in the art would not think that independent claims 1 and 11 are obvious.

Claims 1-3, 5-8, 10-14, 16, and 18-19, then, are not obvious over *Fuller* and *Jones*. Independent claims 1 and 11 recite features that are not taught or suggested by *Fuller* and *Jones*. Their respective dependent claims incorporate these features and recite additional features. One of ordinary skill in the art, then, would not think that claims 1-3, 5-8, 10-14, 16, and 18-19 are obvious. The Office, then, is respectfully requested to remove the § 103 (a) rejection of these claims.

### **Rejection of Claims 9, 15 & 17**

Claims 9, 15, and 17 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over *Fuller* in view of *Jones* and further in view of U.S. Patent Application Publication 2003/0050100 to Dent. As the above paragraphs explained, *Fuller* and *Jones* are both silent to all the claimed features of independent claims 1 and 11. The additional disclosure of *Dent* does not cure these deficiencies. *Dent* describes telecomm equipment (e.g., an antenna) that is shared by multiple service providers. See U.S. Patent Application Publication 2003/0050100 to Dent at paragraph [0006]. Because the equipment is shared, *Dent* also discloses billing schemes to account for each service provider’s usage. See *id.* at paragraphs [0016] and [0023] through [0025].

Still, though, *Fuller*, *Jones*, and *Dent* fail to teach or suggest all the claimed features. As the above paragraphs explained, claims 9, 15, and 17, respectively, depend from independent claims 1 and 11. Claims 9, 15, and 17, then, incorporate these same distinguishing features and

recite additional features. Because the combined teaching of *Fuller*, *Jones*, and *Dent* fails to disclose all the claimed features, one of ordinary skill in the art would not think that claims 9, 15, and 17 are obvious. The Office, then, is respectfully requested to remove the § 103 (a) rejection of claims 9, 15, and 17.

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If any issues remain outstanding, the Office is requested to contact the undersigned at (919) 469-2629 or [scott@scottzimmerman.com](mailto:scott@scottzimmerman.com).

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'Scott P. Zimmerman', with a stylized, cursive script.

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